

Remarks

This is filed in response to the Office Action mailed December 23, 2003, rejecting the pending claims as anticipated by Walker, US Patent 6,328,648. As discussed below, that publication is not believed to teach or suggest the claimed invention.

At the outset, the claims are amended to clarify still further the claimed invention. Those amendments are made without prejudice, the Applicant reserving the right to present the subject matter of the unamended claims at a later date.

Amended claim 1 is directed to a method, e.g., for optimizing a game of chance, by simulating sequences of plays experienced by each of one or more players of a game of chance. The method further includes measuring an experience of each of those one or more players using a metric that represents a value of the game. A payout distribution of the game is then optimized with respect to the metric.

The sole cited reference, Walker, fails to teach or suggest such a method. That publication is directed to gaming machines — namely, slot machines — that adjust their performance based on that of nearby machines. Nowhere does that publication teach or suggest simulating sequences of plays of simulated players of a game of chance. Nor does it teach or suggest measuring a value of the game of chance based on such simulation. Nor, further, does it teach or suggest optimizing a payout distribution of the game of chance based on such simulation and metric measuring.

For these reasons, among others, the rejection should be reconsidered and withdrawn, so that this Application can be passed forward to issuance.

Respectfully submitted,
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